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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,609	03/08/2001	Rabindranath Dutta	AUS920010009US1	5327

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EXAMINER

DETWILER, BRIAN J

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 08/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/801,609	<b>Applicant(s)</b> DUTTA ET AL.	
	<b>Examiner</b> Brian J Detwiler	<b>Art Unit</b> 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
     If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \*    c) ☐ None of:  
         1. ☐ Certified copies of the priority documents have been received.  
         2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
     \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
     a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____.  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____. | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 6-10, 14-18, and 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,899,975 (Nielsen), U.S. Patent No. 5,987,504 (Toga), and U.S. Patent No. 6,023,714 (Hill et al).

Referring to claims 1, 10, and 18, Nielsen discloses in column 1: lines 54-67 and column 2: lines 1-22, and further illustrates in Figure 9 a client device [910] comprising processing means and storing means, wherein the client device is suitable for connecting to a network [900] and includes a client application configured to generate a client request, receive information from the network, and present the received information to a user as audio information. Figure 9 further illustrates a server [950] connected to the network [900] and configured to provide information to the client device [910] responsive to the client request. In column 8: lines 15-29, Nielsen discloses that the system is configured to determine when at least a portion of the information provided by the server is unsuitable for presentation to the user. Particularly, the system of Nielsen determines whether or not the client device has the capabilities to process the supplied information. If the client device lacks one or more of said capabilities, the system is designed to ignore the unsuitable content and present only the information suitable for presentation. Nielsen, however, fails to disclose the other claimed options of storing the

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information for subsequent access by the user or providing a visually enhanced version of the provided information. Toga, though, discloses in columns 2-5 a system in which a client [40] requests information from a server [60], and if the information cannot be delivered immediately it is stored for subsequent access by the user. Toga explains in column 2: lines 61-67 and column 3: lines 1-23 that this is advantageous because it allows the client to still receive the provided information in its entirety even if it cannot be presented at the initially desired time. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include an option of storing the provided information for subsequent access by the user as suggested by Toga because it would allow users that were unable to receive all of the provided information to access the information in its entirety when they are at a system capable of receiving it. Hill, furthermore, discloses in column 9: lines 23-54 a system for providing a visually enhanced version of provided information to the user. Particularly, Hill explains that a sight impaired user may defined a large browser font size so that a computer-displayed document is easier to read. Hill's system will then automatically adjust the properties of the document by selecting a corresponding style sheet that satisfies the user's needs. This is certainly advantageous for users with poor vision who will often have difficulties reading small print on computer-displayed documents. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a visually enhanced version of the provided information to the user as suggested by Hill so that visually impaired users are offered a suitable alternative when the preferred audio information cannot be presented.

Referring to claim 2, Nielsen discloses in column 8: lines 15-29 that the information is unsuitable for presentation to the user as audio information.

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Referring to claim 3, Nielsen discloses a World Wide Web voice-only browser in column 1: lines 32-40 that is inherently capable of converting HTML information to audio information.

Referring to claim 6, Nielsen discloses an embodiment in column 1: lines 32-40 in which a user accesses the World Wide Web via a car telephone while driving. This embodiment inherently communicates with the network via a wireless link.

Referring to claim 7, Nielsen discloses an embodiment in column 1: lines 32-40 in which a user accesses the World Wide Web via a car telephone while driving.

Referring to claims 8, 14, 15, 22, and 23, the combination of Nielsen, Toga, and Hill fails to teach creating a link indicating where the stored information is located and emailing the link to the user. It is notoriously well known in the state of the art, however, that web sites often comprise hyperlinks on pages that allow a user to quickly email the location of that page to any email address. The examiner takes OFFICIAL NOTICE of this teaching. The logic thus already exists for emailing links to users for later retrieval. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to create a link indicating where the stored information is located and to email that link to a user as suggested by that which is notoriously well known in the art because it advantageously allows users to access information at a later time from any computer with access to their email.

Referring to claims 9, 16, and 24, Toga discloses in columns 2-5 that storing the information for later access comprises emailing the retrieved information to the user.

Referring to claims 17 and 25, Toga discloses in column 4: lines 49-57 that the server can request an E-mail address from the user to which the retrieved information will be delivered. If

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the user wishes to store the retrieved information, he or she can input their E-mail address.

Otherwise, they can ignore the request should and the retrieved information will not be stored.

Claims 4, 11-13, and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,899,975 (Nielsen), U.S. Patent No. 5,987,504 (Toga), and U.S. Patent No. 6,023,714 (Hill et al) as applied to claim 1 above, and further in view of U.S. Patent No. 6,640,210 (Schaefer et al).

Referring to claims 4, 11-13, and 19-21, the combination of Nielsen, Toga, and Hill fails to teach determining that the information provided by the server is unsuitable by first determining that the request was initiated by a talking browser by comparing a user agent field of the request against a list of talking browser user agent fields. Schaefer, however, discloses in column 2: lines 14-58 a system in which the type of browser is determined by examining header information (user agent fields) in the request, which allows the system to determine if the browser is capable of presenting the requested content. The system inherently comprises a list of known browsers to which the header information (user agent fields) is compared. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a mechanism for determining that the request was initiated by a talking browser by comparing a user agent field of the request against a list of talking browser user agent fields as taught by Schaefer so that the system can advantageously choose the appropriate for presentation to the user.

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Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,899,975 (Nielsen), U.S. Patent No. 5,987,504 (Toga), and U.S. Patent No. 6,023,714 (Hill et al) as applied to claim 1 above, and further in view of U.S. Patent No. 6,311,215 (Bakshi et al).

Referring to claim 5, the combination of Nielsen, Toga, and Hill fails to teach using a proxy server to determine that the requested information is unsuitable for presentation to the client. Bakshi, however, discloses in columns 2 and 3 a system for determining client capabilities using a network proxy. Particularly, Bakshi explains in column 2: lines 38-49 that the system allows a network proxy to determine preferences and parameters with respect to scaling or transcoding network content to be presented. In other words, the preferences and parameters can detail what types of content are suitable for display at the client computer. Bakshi further explains in column 1: lines 18-63 that network proxies are advantageous because they “are usually configured to have free access to both internal LAN resources and external resources, and can safely pass data back and forth across the firewall.” Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a network proxy to determine the capabilities of a client computer, thus determining what type of content is suitable or unsuitable for presentation, as taught by Bakshi. It would have been advantageous to do this because proxies allow for communication to freely occur between clients and content servers when there is a firewall present.

### ***Conclusion***

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider



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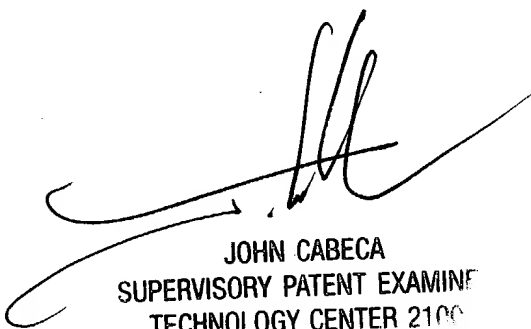
these references fully when responding to this action. The documents cited therein teach alternative talking browsers and methods of determining browser capabilities.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J Detwiler whose telephone number is 703-305-3986. The examiner can normally be reached on Mon-Thu 8-5:30 and alternating Fridays 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Cabeca can be reached on 703-308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bjd



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